

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/~~Ord~~ No.: 18607

Sponsor(s): Theresa Garza Ruiz

Date: September 15, 2014

<p>SUBJECT</p>	<p>Action Requested  <input checked="" type="checkbox"/> Resolution  <input type="checkbox"/> Ordinance</p> <p>Project/Title: A Resolution authorizing the Director of Finance and Purchasing to execute a two-year extension to the lease agreement with D. Varalli, LLC, d/b/a Towne Square Professional Building, for the furnishing of office space at a cost to the County not to exceed \$10,667.86 in 2014 and \$99,738.48 over the life of the lease extension.</p>														
<p>BUDGET INFORMATION  <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="326 611 1203 926"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$10,667.86</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$10,667.86</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> </tr> <tr> <td>001-1208-56620 \$4066.26</td> <td></td> </tr> <tr> <td>002-1222-56620 \$6601.60</td> <td>TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:          Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable):          Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$10,667.86	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$10,667.86	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT	001-1208-56620 \$4066.26		002-1222-56620 \$6601.60	TO ACCT
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date): 18007- October 29, 2012          17625 – July 11, 2011          17201- March 8, 2010          16733- October 6, 2008</p>														
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, &amp; phone): Scott George, Senior Operations Manager, (816)881-3073</p>														
<p>REQUEST SUMMARY</p>	<p>Since 2008, the County has leased space in the Towne Square Professional Building to provide office space for certain County operations including the Office of Emergency Management, County Legislative Auditor, County Legislative Clerk, and Legislative offices. The County and landlord have agreed to a two-year lease extension at no increase in rent rate to the county.</p>														
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>														

ATTACHMENTS		
REVIEW	Department Director:	Date:
	Finance (Budget Approval): <i>If applicable</i> <i>Deborah S Ball</i>	Date: <i>9-8-14</i>
	Division Manager: <i>SS</i>	Date: <i>9/11/14</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



**OFFICE LEASE ADDENDUM**

WHEREAS, D. Varalli Enterprises, LLC d/b/a Towne Square Professional Building, as Landlord, and Jackson County, Missouri, as Tenant, entered into an Office Lease Agreement dated October 9, 2008, for the following described premises: 201 W. Lexington (all rentable area on the second floor except the Northwest corner office area known as Suite 202 as shown in Exhibit A), Independence, Missouri; and,

WHEREAS, by Resolution 17201, dated March 8, 2010, the Jackson County Legislature did authorize the exercise of a first right of refusal to acquire the additional office space located at the Northwest corner of the second floor; and,

WHEREAS, by Resolution 17625, dated July 11, 2011, the Legislature did authorize a nineteen-month extension to the Lease Agreement from March 13, 2011, through October 14, 2012; and,

WHEREAS, by Resolution 18007, dated October 29, 2012, the Jackson County Legislature did authorize a twenty-four month extension to the lease agreement from October 14, 2012, through October 13, 2014; and,

WHEREAS, said Landlord and Tenant wish to extend the Office Lease agreement in the manner and to the extent hereinafter set forth; now therefore,

EXCEPT as herein modified all of the remaining terms, covenants, and conditions of the Office Lease Agreement dated October 9, 2008, shall remain the same and are incorporated herein by reference along with this Addendum.

**BASIC PROVISIONS:**

1.3. "Premises": Approximately **4,551** square feet, (all rentable area on the second floor) known as Suite 200, of a portion of the building located at 201 W. Lexington in Independence, Missouri. The property presently is under a Chapter 353, RSMo., tax abatement.

1.4 "Tenant Percentage": Total rentable area in the above building is 18,762 square feet, and Tenant's proportionate share is 24.3 percent (known as Tenant's Percentage).

1.5 "Lease Term": Effective October 14, 2014, the lease term is to be extended as follows: a period of twenty-four (24) months commencing on October 14, 2014, (the "Commencement Date") and ending on October 13, 2016, (the "Expiration Date"), unless sooner terminated in accordance with the provisions of this Agreement. A Lease Term Year will run from the original commencement date in October 2014 to the next October.

1.6 "Base Rent": \$49,869.24 per year, payable in monthly installments in advance, due on or before the 15<sup>th</sup> day of each month, during the Lease Term according to the following schedule:

**October 14, 2014, through October 13, 2016, at the rate of \$10.96 per sq. ft. = \$4,155.77/mo.**

Month 1 (prorated) October 14 <sup>th</sup> through 30 <sup>th</sup> -----	\$2,356.32
Month 2 through 23 -----	\$4,155.77
Month 24 (prorated October 1 <sup>st</sup> through 13 <sup>th</sup> -----	\$1,799.45

Rent shall be paid to Landlord or the Agent of the Landlord at P.O. Box 1188, Independence, Missouri 64051, or at such other place, as Landlord shall designate.

IN WITNESS WHEREOF, Landlord and Tenant, acting herein by duly authorized individuals, have caused this instrument to be executed in three (3) originals, on the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

TENANT: Jackson County, Missouri

LANDLORD: Towne Square Professional Building

By \_\_\_\_\_  
Q. Troy Thomas  
Finance & Purchasing Director

By \_\_\_\_\_  
Owner / Agent

Approved as to form:

ATTEST:

\_\_\_\_\_  
W. Stephen Nixon  
County Counselor

By \_\_\_\_\_  
Mary Jo Spino  
County Clerk

DATE: \_\_\_\_\_

### REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation of \$10,668.00 which is hereby authorized.

Funds for future years are subject to appropriation in the then current annual County Budget.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Finance and Purchasing  
Account No: 001-1208-56620 - \$4,066  
002-1222-56620 - \$6,602